

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

WILLIAM C. TOTH JR., *et al.*,

*Plaintiffs,*

V.

LEIGH M. CHAPMAN, *et al.*,

*Defendants.*

No. 1:22-cv-00208-JPW

Honorable Jennifer P. Wilson

**PROPOSED INTERVENOR-DEFENDANTS’ MOTION FOR LEAVE TO  
FILE A BRIEF, OR, IN THE ALTERNATIVE, AN AMICUS BRIEF, IN  
OPPOSITION TO PLAINTIFFS’ REQUEST TO CONVENE A THREE-  
JUDGE DISTRICT COURT**

Proposed Intervenor-Defendants Carol Ann Carter, Monica Parrilla, Rebecca Poyourow, William Tung, Roseanne Milazzo, Burt Siegel, Susan Cassanelli, Lee Cassanelli, Lynn Wachman, Michael Guttman, Maya Fonkeu, Brady Hill, Mary Ellen Balchunis, Tom Dewall, and Stephanie McNulty (the “Carter Petitioners”) respectfully request leave of Court to file a letter brief in response to Plaintiffs’ request to convene a three-judge district court under 28 U.S.C. § 2284(a), attached as Exhibit A hereto.

Given the urgency of this matter, the Carter Petitioners are filing this motion for leave and proposed letter brief prior to the Court's decision on their motion to intervene, so as to comply with the Court's February 21, 2022 scheduling order. The Carter Petitioners also seek to protect their significant interests in this case, which have only sharpened since they moved to intervene

two days ago, as the Pennsylvania Supreme Court yesterday ordered the adoption of the congressional district map that the Carter Petitioners proposed in the state court impasse litigation. *Carter v. Chapman*, No. 7 MM 2022, 2022 WL 549106 (Pa. Feb. 23, 2022).

Counsel for the Carter Petitioners have consulted with Plaintiffs' and Defendants' counsel regarding this Motion. Counsel for Plaintiffs have indicated that they are unopposed to the Motion. Counsel for Defendants indicated that they take no position as to this Motion.

WHEREFORE, the Carter Petitioners request that the Court grant them leave to file the attached letter brief in the above-captioned matter.

Dated: February 24, 2022.

Respectfully submitted,

/s/ Elizabeth V. Wingfield

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*\*Motions for Pro Hac Vice  
Forthcoming*

*\*\*Admitted Pro Hac Vice*